

March 28, 1990

LB 976, 1221

CLERK: 27 ayes, 0 nays, Mr. President, on the advancement of LB 1221.

SPEAKER BARRETT: LB 1221 advances. The Chair is pleased to note that Senator Lowell Johnson has guests under our north balcony, Mr. and Mrs. Bob Taylor of Fremont, Nebraska. Would you folks please stand and be recognized. Thank you. And in our south balcony from Senator Hartnett's district we have a number of eighth and ninth graders from Logan Fontanelle, Bellevue, Nebraska, with their teacher. Would you folks please stand and be recognized. Thank you. We're pleased that you guests could be with us today. Anything for the record, Mr. Clerk?

CLERK: Not at this time, Mr. President.

SPEAKER BARRETT: Moving then to LB 976.

CLERK: Mr. President, LB 976 was introduced by Senators Pirsch, Beck, Langford, Peterson and Lowell Johnson. (Read title.) The bill was introduced on January 4 of this year, referred to Judiciary. The bill was advanced to General File. I have no committee amendments, Mr. President.

SPEAKER BARRETT: The Chair recognizes Senator Pirsch.

SENATOR PIRSCH: Thank you, Mr. Speaker, members of the body, LB 976 increases criminal drug penalties for violations which take place within 1,000 feet of the real property comprising a public or private elementary, secondary, postsecondary or vocational educational institution or of a playground, public or private youth center, public swimming pool or video arcade. And each violation within the 1,000-foot zone would be punished by the penalty prescribed to the next higher penalty classification. LB 976 also provides that any person convicted of violations within that 1,000-foot zone shall not be placed on probation nor shall that person have the imposition or execution of his or her sentence suspended for any reason. LB 976 also allows courts to impose fines against those persons convicted under Section 28-416 where the penalty is a Class II felony, Class ID felony, Class IC felony and Class IB felony. The maximum fine which may be imposed under each felony classification is as follows: Class II felony, \$50,000; Class ID felony, \$100,000; Class IC felony, \$150,000; Class IB